

<p style="text-align: center;">KENTUCKY CORRECTIONS Policies and Procedures</p>	<p>Policy Number</p> <p style="text-align: center;">27-08-01</p> <p>Date Filed</p> <p style="text-align: center;">January 12, 2005</p>	<p>Total Pages</p> <p style="text-align: center;">3</p> <p>Effective Date</p> <p style="text-align: center;">May 26, 2005</p>
<p>Authority/References</p> <p>ACA Standards 3-3175 and 3-3176 KRS 196.030, 196.035, 503.010, 503.020 through 502.050, 503.070 through 503.120</p>	<p>Subject</p> <p style="text-align: center;">USE OF FORCE</p>	

I. AUTHORITY

This policy and procedure is issued in accordance with the provisions of KRS 196.030 and 196.035 which authorizes the Commissioner of the Department of Corrections (Corrections) to adopt, amend or rescind regulations deemed necessary or suitable for the proper administration of Corrections.

II. PURPOSE

To set forth the conditions governing the use of force by personnel of the Division of Probation and Parole.

III. APPLICABILITY

To all officers of the Division of Probation and Parole (Division).

IV. DEFINITIONS

"Deadly Physical Force" is defined in KRS § 503.010.

"Force" means "Physical Force" or "Deadly Physical Force" to the extent such force is authorized under this policy and the law of the Commonwealth of Kentucky.

"Physical Force" in addition to the definition contained in KRS § 503.010, includes restraint and use of chemical agents.

V. POLICY

A. It is the policy of Corrections that Probation and Parole Officers (Officers) shall use force only as authorized by the provisions of KRS Chapter 503 and other applicable law of the Commonwealth of Kentucky.

B. Any incident involving the use of force, except during transport and arrest without incident, shall be verbally reported immediately by the supervising

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officer to the district supervisor who shall report immediately to the Director of Probation and Parole.

VI. PROCEDURES

A. Limitations of Force

To the extent possible, a situation involving the use of force shall be avoided by the Officer. In an unavoidable situation, assistance may be sought by the Officer from the local law enforcement agencies or a fellow Probation and Parole Officer. Only that force necessary to bring the situation under control shall be applied, and only for as long as is needed to eliminate the threat or resolve the situation that initially justified the use of force. All injuries shall be treated promptly and reported fully.

1. Force when used shall be:
 - a. only used as a last resort
 - b. reasonable and necessary
 - c. not excessive or inappropriate
2. An Officer may use force, as otherwise justified under KRS Chapter 503 or other applicable law of the Commonwealth of Kentucky, in the following situations:
 - a. execution of his duty
 - b. self protection
 - c. protection of a third party
 - d. prevention of escape
 - e. effecting an arrest
 - f. in other situations for which Kentucky law authorizes the use of such force.

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B. Reports

Any incident involving the use of force shall be reported verbally by the Officer the same day to the District Supervisor who shall report the incident to the Director of Probation and Parole. The Officer shall submit a written report to the Supervisor documenting an accurate and detailed description of the incident within three (3) working days. The District Supervisor shall investigate the incident, as necessary, and prepare a written report to the Director of Probation and Parole within ten (10) working days.

The report shall include:

1. Synopsis

A brief description of the incident.

2. Parties Involved

A list of all persons involved in the incident, noting their status as staff, offender, or other person.

3. Injury or Damage to Personal Property

4. Details of the Incident